

14.6.68



13/6/68

Athènes, le 3 juin 1968.

S.Ex. Monsieur le Docteur
Bruno PITTESSMANN
Anc. V. Président du Conseil
Vienna

Tous les grecs suivent avec des sentiments de reconnaissance et d'admiration, vos efforts tendant au rétablissement du régime démocratique en Grèce.

J'ai eu l'occasion de lire dernièrement, votre intervention dans la discussion de la question grecque, durant la dernière réunion du Conseil de l'Europe.

Il ne peut en vérité subsister aucun doute, que la Junte ne sera pas disposée à rétablir bénévolement le régime démocratique en Grèce. Elle est fermement décidée de rester en permanence au pouvoir, et d'appliquer le régime absolu.

Nous envisageons actuellement, d'une manière plus spéciale, la question du vote du projet d'une Constitution par plébiscite. Il semble que maintenant la Junte, ne paraît pas disposée de respecter sa promesse et de procéder en septembre prochain, même à ce plébiscite. Elle essaiera plutôt de trainer cette affaire, sans parler de la question que sera le texte de Constitution, soumis à ce vote populaire. Le projet publié, n'a aucun rapport avec les principes démocratiques, et les discussions actuelles prétendues libres, ont lieu sous le régime de la loi Martiale. Elles sont par conséquent menées selon les désirs et les ordres de la Junte.

Si la discussion du projet gouvernemental a lieu sous le même régime militaire, le résultat du plébiscite peut être prévu d'avance. Il aura la forme classique des constitutions dictatoriales, qui ont été votées en soutirant l'assentiment populaire.

Je suis certain, ainsi que tous les démocrates hellènes, que vous élèverez votre voix à temps, afin d'aider à prévenir cette tromperie, destinée à éterniser l'enchaînement du peuple grec.

Afin que vous puissiez vous former une impression d'ensemble, vous voudrez trouver ci- inclus, le texte d'une étude sur le projet de Constitution, et une autre sur les réformes de l'enseignement, ainsi qu'une troisième sur la violation de la Convention des Droits de l'Homme.

Veuillez agréer, Monsieur et cher Collègue, les assurances de ma considération particulièrement distinguée et de

J.C. Kikfidis
anc. Député et Ministre

Athènes, le 3 juin 1968.

Monsieur le Député

Elie BLUMENFELD
au Bundestag

B O N N a Rh.

C'est avec beaucoup d'intérêt que j'ai lu votre discours sur la question grecque, lors de la dernière réunion de l'Assemblée du Conseil de l'Europe.

La Junte malheureusement, malgré ses promesses, n'a pris au fait jusqu'à aujourd'hui, aucune mesure tendant au rétablissement par étapes du régime démocratique. Le régime dictatorial est absolu. Vous avez par conséquent absolument raison, prétendant, qu'il est important qu'un avis catégorique soit donné aux dictateurs.

Nous envisageons actuellement d'une manière plus spéciale, la question du vote du projet d'une Constitution par plébiscite. Il semble que maintenant la Junte, ne parait pas disposée de respecter sa promesse de procéder en septembre prochain, même à ce plébiscite. Elle essaiera plutôt de trainer cette affaire, sans parler de la question que sera le texte de Constitution, soumis à ce vote populaire. Le projet publié n'a aucun rapport avec les principes et les discussions actuelles prétendues libres, ont lieu sous le régime de la loi Martiale. Elles sont par conséquent, menées selon les désirs et les ordres de la Junte.

Si la discussion du projet gouvernemental a lieu sous le même régime militaire, le résultat du plébiscite peut-être prévu d'avance. Il aura la forme classique des Constitutions dictatoriales, qui ont été votées en contournant l'assentiment populaire.

Je suis certain, ainsi que tous les démocrates hellènes, que vous élibrerez votre voix à temps, afin d'aider à prévenir cette tromperie, destinée à éterniser l'enchaînement du peuple grec.

Afin que vous puissiez vous former une impression d'ensemble, je joins à la présente, le texte de deux études dont l'une sur le projet de Constitution et l'autre sur les réformes de l'enseignement.

Veuillez agréer, cher Collègue, les assurances de ma considération particulièrement distinguée et de

J.G. Zigdis
anc. Député et Ministre

The following men are departing for Geneva as "representatives" of the employees:

- 1) Christos Fotiades, lawyer and Legal Adviser to the Greek Confederation of Labour and the Labor Centre.
- 2) Costas Nicolaides, private secretary to P.N. Makris.

These two men, together with Makris, make up the triumvirate that is at present running the Greek trade unions. Following the coup of April 1967 they recommended the dissolution of organizations, and the dismissal of their duly elected Executives. They then set forth the plan to replace the one dismissed, and collected 1000-2000 drachmas from each one. As instructions in this matter they used their colleague Phokion C. Koutouros, of Vasilevsky Street 10.

Christos Fotiades, a member of the legal divisions of the Social Security Institute, was involved in the affairs of the contracts made between the private clinics and the S.S.F., and the Heliopoleis Hospital.

Costas Nicolaides was private secretary to Makris, and since then has become a trade union leader by organizing the re-employment of the Greek Confederation of Labour into a Union. He is the manager-owner of a club called the Heliopoleis on Vasilevsky Street.

ATLAS
4/3/68

Note on the Royal Decree 349 of 29/5/68 on the Partial Lifting of the Suspension of Articles 10 and 11 of the Constitution Dealing with the Freedom to Associate and Assemble

(Government Gazette, Vol A, 122. 30/6/1968)

1) The preamble to the Decree explicitly states that members of "recognised trade or organisation" have for long freely exercised their trade union rights to assemble and associate notwithstanding the suspension of Articles 10 and 11 of the Constitution; consequently, there is no reason to maintain the suspension insofar as it refers to members of such organisations.

For this reason, paragraph 1 of article 1 of the Decree proceeds to restore Article 10 of the Constitution, thereby making the right to assemble legal, but only when it is exercised by members of "recognised trade organisations", and solely in their pursuit of professional aims.

On the other hand, paragraph 2 of the same article restores Article 11 of the Constitution, which permits the right to associate, but this also for organisations whose purpose is the pursuit of professional aims.

The following conclusions can be drawn from the above:

2) (a) Since the only kinds of assembly permitted are those of "recognised professional organisations" and only for professional purposes, every other kind is subject to the strictures of Martial Law, and more specifically to Law 430 of 1912 concerning the "state of siege". Consequently, an assembly of, say, the members of the YwCA must first seek the permission of the Police, who are free to ban it, subject the matters to be discussed to inspection by members of the Asfalia (the Security Police), to censor speeches, etc.

(b) The Decree does not mention the procedure that will be used to determine whether a trade organisation is a "recognised" one or not. Furthermore, we cannot infer from the wording of it that recognition means approval of the Charter of the organisation by a Court of Law. In fact, all the 270-odd organisations dissolved in May 1967 by a simple decision of the Military Command were, in this sense, recognised organisations, since their Charters had been approved by the Courts. Thus it becomes clear that it is entirely up to the Asfalia to decide which is a "recognised" organisation or not, and who is a member of such an organisation.

(c) It is obvious that the Asfalia on its own criteria and with its well-known high-handedness, will declare an organisation "recognised" only when its members are "favourably disposed" towards the regime, and will deny recognition to any other organisation.

(d) So long as the suspension of the remaining Articles 3-20 of the Constitution remains in force, and the rights and liberties of the citizen are subject to the control of the military authorities, so long as citizens are arrested without a warrant, imprisoned, put under house arrest or deported without trial, so long as throughout the land and in the field of every social activity there are restrictions on the freedom of speech, press and mail censorship and telephone tapping, so long as the sanctuary of the citizen's home is

infringed upon without a warrant, and generally so long as all the liberties of the individual are constantly violated, the partial lifting of the suspension of Articles 10 and 11 of the Constitution as described above, can only be termed a mockery. Who will dare to express his opinion freely at an assembly when he knows that that very night he may be arrested and deported for his action? And who will dare to organise an independent trade union when he knows he will be subjected to the same treatment?

3) The rationale of the Royal Decree 369/68 is the Junta's desire to avoid the expulsion of the Greek delegation from the International Organisation of Labour, which is scheduled to meet in Geneva on 18/6/68. The clear and unequivocal refusal given by the General Secretary of the I.O.L to accept the presence of the Greek delegates so long as trade union liberties are violated in Greece, has forced the "government" of the Junta to perpetrate the cruel deception we have described.

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Note on the Emergency Law 434 of 29/5/68 Concerning the Property of the Dissolved Trade Unions

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1) In May 1967 the Military authorities, invoking the Law on the "state of siege", dissolved some 270 mainly trade organisations. NO mention was made at the time as to what was to be done with the assets of these organisations, since it was assumed that when the state of siege was lifted, they would either be allowed to function again or else their dissolution would be made final by the decision of Civil Courts, in accordance with the Constitution and the Civil Code.

2) Since many of the dissolved organisations have considerable assets, mainly in real estate, on 8/5/68 the Junta-appointed executive of the Greek Confederation of Labour sent a letter to the Ministry of Labour suggesting that the assets of the dissolved "anti-national" organisations be transferred to the accounts of other, newly-established "national" organisations, whose members would be of "politically healthy opinions", and further requested that an Emergency Law should be issued to that effect. More specifically, this letter refers to:

(a) The Association of Trade Employees, which owns real estate in Mitropoleos Square, the value of which is estimated at about a million dollars.

(b) The Association of Restaurant Employees, which owns offices in Dorou Street, and deposits in the bank.

(c) The Association of ~~Rxxx~~ Electric Rail Employees, which has a Mutual Aid Fund and assets in cash.

3) The Ministry of Lab our lost little time in meeting the G.C.L.'s request, and issued an Emergency Law (434/68) under which the properties of dissolved organisations will be transferred, in order of priority, to the following:

(a) To organisations similar to the ones dissolved, and whose existence dates previous to the time of issue of the Emergency Law.

(b) If no such organisation existed, then the assets would go to the appropriate Trade Federation, and finally

(c) If the dissolved organisation did not belong to a Federation, the property would be transferred to the G.C.L., which would assume the task of creating a new "national" organisation to replace the one dissolved.

(At this point it should be noted that the G.C.L. is already in the process of creating such "national" trade organisations in order to achieve the above).

4) The Civil Court of the First Instance in the area of the dissolved organisation would then be asked to decide which new organisation fulfilled the conditions necessary to transfer the assets of the dissolved body into its own coffers.

5) This Emergency Law is clearly contrary to Articles 11, 17 and 18 of the Constitution, and also contrary to the Civil Code. According to Article 11, no organisation can be dissolved except by Court decision. According to Article 18 general confiscation is forbidden, and Article 17 protects the property of both legal and natural persons.

6) This Law is inhumane, as no judge shall appear at, but after the recent law of 1958, and it is considered to be a violation of the Constitution. The law is also inhumane as it is considered to be a violation of the Constitution. The law is also inhumane as it is considered to be a violation of the Constitution.

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Αθήνα
4/8/58

